

No. 11(112)-3Lab-78/8829.—In pursuance of the Provision of section 17 of the Industrial disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak in respect of the dispute between the workmen and the management of M/s Navyug Hand Loom Industries, Panipat.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 119 of 1978

between

SHRI SHRI DASRATH, WORKMAN AND THE MANAGEMENT OF M/S NAVYUG
HAND LOOM INDUSTRIES, PANIPAT

Present.—

Shri Raghubir Singh, for the workman,

Nemo, for the management.

AWARD

By order No. ID/KN1/20-N-78/30866, dated 4th July, 1971 the Governor of Haryana referred the following dispute between the management of M/s Navyug Hand Loom Industries Panipat and its workman Shri Dasrath to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

“Whether the termination of services of Shri Dasrath was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference notices were issued to the parties. The parties appeared. The representative for the workman stated that the dispute had been referred to arbitration and therefore, he wants to withdraw his dispute. Withdrawal was permitted. While answering the reference I give my award that the dispute has been referred to the Arbitrator and now it is not proper to give an award on merits. The Arbitrator shall give his award.

Dated the 19th September, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2688, dated the 26th September, 1978.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3 Lab-78/8830.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding Officer, Labour Court Rohtak, in respect of the dispute between the workmen and the management of M/s. Navyug Handloom Industries, Panipat.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 122 of 1978

between

SHRI MUNNA LAL, WORKMAN AND THE MANAGEMENT OF M/S NAVYUG HANDLOOM
INDUSTRIES, PANIPAT.

Present:—

Shri Raghubir Singh, for the workman.

Nemo, for the management.

AWARD

By order No. ID/KNL/33-78/31044, dated 5th July, 1977, the Governor of Haryana referred the following dispute between the management of M/s. Navyug Hand Loom Industries, Panipat and its workman Shri Munna Lal to this court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

“Whether the termination of service of Shri Munna Lal was justified and in order? If not, to what relief is he entitled?”

On receipt of order of reference notices were issued to the parties. The parties appeared. The representative for the workman stated that the dispute had been referred to arbitration and therefore, he wants to withdraw his dispute. Withdrawal was permitted. While answering the reference I give my award that the dispute has been referred to the Arbitrator and now it is not proper to give an award on merits. The Arbitrator shall give his award.

NATHU RAM SHARMA

Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 19th September, 1978

No. 2689 dated 26th September, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer
Labour Court, Haryana,
Rohtak.

No 11(112)-3 LAB-78/8832.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak. In respect of the dispute between the workman and the management of M/S. Avon Scales Company Sonapat.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK.

Reference No. 95 of 1978

between

SHRI BIJLI PARSHAD WORKMAN AND THE MANAGEMENT OF M/S AVON SCALES
COMPANY SONEPAT.

Present:—

Shri Hawa Singh, for the workman.

Nemo for the management.

AWARD

By order No. ID/RTK/13-78/25925 dated 14th June, 1978 the Governor of Haryana referred the management of M/s Avon Scales Company Sonapat and its workman Shri Bijli Parshad to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Bijli Parshad was justified and in order? If not, to what relief is he entitled?”

On receipt of order of reference notices were issued to the parties. The representative for the workman appeared and stated that the workman has joined his duties and he does not want to proceed with his case. Considering the statement of the representative for the workman, I answer this reference and give my award that the workman has been reinstated by the management. As regards relief the workman

shall get the relief as agreed to by both the parties, at the time of reinstatement of the workman by the management.

NATHU RAM SHARMA,

The 19th September, 1978

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2687, dated 26th September, 1978

Forwarded (four copies) to the secretary to Government Haryana, Labour & Employment Departments Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-78/8835.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Premier Rolling Mills Bahadurgarh (2) Shri Suraj Bhan Contractor c/o Premier Rolling Mills Bahadurgarh.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 226 of 1978

between

SHRI RAM CHANDER, AND 11 OTHERS WORKMAN AND THE MANAGEMENT OF M/S
PREMIER ROLLING MILLS BAHADURGARH, (2) SHRI SURAJ BHAN CONTRACTOR
C/O, PREMIER ROLLING MILLS BAHADURGARH.

Present.—

Shri Rajinder Dahiya, for the workman.

Shri Sadhu Singh, for the management.

AWARD

By order No. ID/SPT/84/78/35336, dated the 28th July, 1978 the Governor of Haryana referred the following dispute between the management of M/s Premier Rolling Mills Bahadurgarh (2) Shri Suraj Bhan Contractor C/o Premier Rolling Mills Bahadurgarh and its workman Shri Ram Chander and 11 others to this Court, for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of the following workmen was justified and in order ? If not to what relief are they entitled ?

1. Shri Ram Variksh.
2. Shri Ram Chander.
3. Shri Surjoo.
4. Shri Uma Shankar.
5. Shri Ram Rattan.
6. Shri Parahlad.
7. Shri Ram Tirath.
8. Shri Sarphoola.
9. Shri Ram Avadh.
10. Shri Siri Kant.
11. Shri Khadero.
12. Shri Sarad Chand.

On receipt of the order of reference notices were given to the parties. The parties appeared and settled. The representative for the workman also admitted the settlement. I have gone through the settlement. It is fair and proper. I, while answering the reference give my award as per the settlement which is as follows:—

The workmen mentioned in the order of reference shall be reinstated by the management if the workmen reported for duty within 10 days of 6th September, 1978. The reinstatement shall be with continuity of service. The workmen shall also get Rs 50 each against back wages. In addition to this the workmen shall be paid against their earned wages the amount mentioned against their names.

1. Shri Ram Chander	Rs. 189
2. Shri Sarphoola	Rs. 183
3. Shri Khaderoo.	Rs. 66
4. Shri Ram Tirath.	Rs. 225
5. Shri Siri Kant.	Rs. 81
6. Shri Sarad Chand.	Rs. 195
7. Shri Ram Rattan,	Rs. 196
8. Shri Parahlad.	Rs. 216
9. Shri Surjoo	Rs. 210
10. Shri Ram variksh.	Rs. 186
11. Shri Uma Shankar,	Rs. 168
12. Shri Ram Avadh.	Rs. 135

NATHU RAM SHARMA,

The 19th September, 1978.

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 2683, dated the 26th September, 1978.

Forwarded (four copies), to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-78/8842. In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s. Swatantra Bharat Woolen Mills, Panipat.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 6, 9 and 10 of 1978

between

SHRI RAM CHANDER, JAI BHAGWAN AND SHRI SUBE SINGH WORKMEN AND
THE MANAGEMENT OF M/S SWATANTRA BHARAT WOOLEN
MILLS PANIPAT

Present.—Nemo for the workmen.

Shri Surinder Kaushal, for the management.

AWARD

By order No. ID/KNL/535-77/1025, dated 10th January, 1978, ID/1151, dated 11th January, 1978, and ID/KNL/534-77/1139, dated 11th January, 1978 the Governor of Haryana referred the following dispute between the management of M/s. Swatantra Bharat Woollen Mills, Panipat and its workmen S/Shri Ram Chander, Jai Bhagwan and Sube Singh to this Court for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of S/Shri Ram Chander, Jai Bhagwan and Sube Singh was justified and in order ? If not to what relief are they entitled?

On receipt of these references notices were issued to the parties. The parties appeared and filed their pleadings. From the pleadings of the parties the following issues were framed on 26th May, 1978 :—

1. Whether the applicant absented himself from duty without permission of the management concerned with effect from 1st June, 1977 and continued to do so till 18th June, 1977 besides letters sent to him on 2nd June, 1976 and 6th June, 1976 asking him to resume duty? If yes to what effect?
2. Whether the termination of services of S/Shri Ram Chander, Jai Bhagwan and sube Singh was justified and in order ? If not to what relief are they entitled ?

The case was fixed for the evidence of the management. On 8th August, 1978 the evidence of the management was present but the representative for the workmen stated that the workmen were not taking interest in their case and they have not contacted him since long and therefore, he did not want to appear in these cases and withdrew himself from these references. In these circumstances the case was ordered to proceed *ex parte* against the workmen and was fixed for the *ex parte* evidence of the management. The representative for the management prayed on 24th August, 1978 that all these cases should be consolidated as the evidence in all these three cases is the same. Hence these references were consolidated and evidence was recorded in reference No. 6 of 1978. It was further ordered that the evidence recorded in reference No. 6 of 1978 shall be read as evidence in references No. 9 and 10 of 1978. Then the management adduced their evidence. The management examined one Shri Vijay Kumar Mittal, their Manager as MW-1 who stated that the workman Shri Ram Chander, absented on and from 1st June, 1977. The management sent three letters to him dated 2nd June, 1977, 6th June, 1977 and 18th June, 1977 by registered post which were received back with the remarks "refusal" by the postal authorities. Thereafter the management discontinued the names of these workmen from their rolls from 18th June, 1977 as per Model Standing Orders treating the workmen as having abandoned their service. I have seen the registered envelopes together with registered A. D. forms, which were sent to the workmen and were received back with the remarks "refusal". These letters are Ex. M-2, M-3, M-5, M-6, M-8, M-9, M-13, M-14, M-15, M-16, M-17, M-18, M-21, M-22, M-23, M-24 and M-25. I have also seen the photostat copies of these letters sent to the workmen which are Ex. M-1, M-4 and M-7, the management have also placed on file Ext. M-28 by which they informed the Labour Commissioner Haryana, that they have closed down their Engineering section and had paid to the workmen their dues including closure compensation as per law and the workmen have left their factory after receiving their dues. This letter is dated 3rd November, 1978 and is not relevant to this case. The management placed this on the file as a precautionary measure. After considering all these documents produced by the management in evidence and the statement of the witnesses for the management, I am satisfied that the workmen absented for 18 days and as per the Model Standing Orders, they have been deemed by the management as having abandoned their service. I, therefore, decide issue No. 1 in favour of the management. As a result of my findings on issue No. 1, I answer these references and give my award that the workmen named Sarvshri Ram Chander, Jai Bhagwan and Sube Singh have abandoned their service of their own by their conduct of remaining absent for 18 days as per the Model Standing Orders framed by the Government. The management has not terminated their services. The above said workmen are not entitled to any relief.

Dated 19th September, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak,

No. 2702, dated 26th September, 1978,

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.